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SAMFORD UNIVERSITY

BIRMINGHAM, ALABAMA

BULLETIN 1981-82



CUMBERLAND SCHOOL OF LAW



THE Cumberland School of Law insignia represents a long and distinguished heritage. The design is built around the ancient symbol of Justice. Two seals side-by-side signify the present day relationship with Samford University. The Latin motto beneath the shield expresses an unending determination to strive ever upward.

An early chapter of the Lebanon era is recalled by a Phoenix poised atop the shield. This bird of ancient myth is a symbol of Cumberland's first rebirth and rise to greatness after its buildings were put to the torch during the Civil War.

Thus, at a glance, one gains a sense of Cumberland's traditions—traditions that have found resurgent qualities on Alabama soil.

CATALOG
of
**Cumberland School
of Law**
of
Samford University



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Cordell Hull

Distinguished Cumberland alumnus; U.S. House of Representatives (1907-21, 1923-31); U.S. Senate (1931-33); U.S. Secretary of State (1933-44); Recognized as "Father of the United Nations"; Recipient of the Nobel Peace Prize in 1945.

General Information

HISTORY OF THE CUMBERLAND SCHOOL OF LAW

The Cumberland Law School was established in 1847 as a part of Cumberland University in Lebanon, Tennessee, and has been in continuous operation except for a brief period during the Civil War. Through the years the school has been regularly staffed with many brilliant legal scholars and distinguished men, such as Abraham Caruthers, author of *Caruthers' History of a Lawsuit*; Sam B. Gilbreath, revisor of *History of a Lawsuit*; Dr. Andrew C. Martin; Nathan Green, Sr.; Nathan Green, Jr.; Grafton Green; A.B. Neil; and many other outstanding leaders of the profession. The school was acquired by Samford University in 1961 and has experienced a period of growth and progress that has made it the largest law school in the state and the largest Baptist supported law school in the nation. The law school is housed in the Memory Leake Robinson Hall, a fine facility which has recently undergone extensive expansion. The faculty of the Cumberland School of Law today is the largest and academically the strongest in the School's long history. The student body this year consists of more than 700 students coming from almost every state and several foreign countries.

ACCREDITATION

The Cumberland School of Law is fully approved by all national and state accrediting agencies. It is a member of the Association of American Law Schools and is approved by the American Bar Association through its Section on Legal Education and Admissions to the Bar. It is also approved by the Board of Regents of the University of the State of New York. Because all of these certification requirements are met, a graduate of Cumberland School of Law is eligible to take the bar examination in any state.

AIMS AND OBJECTIVES OF LAW SCHOOL

The program of the School of Law is twofold. It strives to maintain high standards of legal education and to prepare men and women for the practice of law. The school emphasizes a program of trial advocacy. It also seeks to provide legal training for those planning to enter business or public service. The overall aim is to develop the analytical powers of the student, as well as to provide him with a knowledge of legal principles and their historical development. At the same time, the

program is designed to instill in each student a high sense of professional ethics.

The School of Law is an integral part of Samford University. The objectives of the University and the Law School are similar in purpose. The Law School emphasizes Christian values that are inherent in our legal principles. The Law School is determined to teach the significance of law as a genuine part of the culture of the nation and to make each student aware of social responsibility in the context of Christian ethics and in the highest traditions of the legal profession.

The School of Law recognizes the strategic importance of the legal profession, which has almost complete control over the judiciary of our states and our nation and largely dominates the legislative and executive branches of our national and state governments. The School seeks to emphasize the American concept of maximum liberty in every phase of life for each individual.

ALUMNI

The graduates of the Cumberland School of Law are organized into a National Alumni Association with over 3,000 members residing in forty-eight states and five foreign countries. National officers are elected each year in April during Law Day activities on the campus. Local alumni chapters function in many areas of the United States.

In its 130 years of service, Cumberland has produced over 10,000 law graduates, many of whom have distinguished themselves in their profession. The list includes two United States Supreme Court Justices, a Secretary of State of the United States, United States Senators, United States Representatives, federal district and appellate judges, governors, state supreme court and appellate judges, state attorneys general, lieutenant governors, United States and state district attorneys, diplomatic officials, college presidents, law professors, distinguished legal writers and scholars, and administrative officials of the United States and state governments.

During the 1960's, Cumberland ranked second among all law schools in the number of justices (eleven) it contributed to state supreme courts, and today Cumberland graduates not only sit on the supreme courts of several states, but serve the legal profession and the public in numerous other capacities.

LOCATION

Samford University—home of the Cumberland School of Law—is located on an attractive, 300-acre campus featuring Colonial-Georgian architecture. It has been described as one of the most beautiful in the nation. Located in the picturesque, mountainous area of Shades Valley,

the educational facility has unlimited possibilities for continued growth and development. Robinson Hall, the home of the School of Law, is located in the center of the campus, just east of the main library.

The University is located in the metropolitan area of Birmingham, Alabama's largest city. Birmingham is the state's industrial, business and cultural center. Many fine recreational facilities are available. The University is easily reached by an excellent system of railways, airlines, and highways.

ALABAMA LAW INSTITUTE

The Dean and all the full-time Faculty members of the School of Law are members of the Alabama Law Institute, which was established by the Alabama Legislature in 1967 as an official advisory law revision, reform, and research agency of the State of Alabama. Membership in the Institute includes leading lawyers, judges, law professors, and officials of the State of Alabama.

The Institute is designed to devise and implement a plan of continuous revision of the Alabama Code, to carry on scholarly discussions of current problems, and to make recommendations to the Legislature concerning needed improvements in the substantive and procedural law of the State. It is expected that the faculty and students of the Law School will be called upon to assist in the research and drafting of major projects undertaken by the Institute.

CUMBERLAND LAW INSTITUTE— CONTINUING LEGAL EDUCATION

The Cumberland Law Institute—Continuing Legal Education Program is designed to provide Cumberland graduates and other practicing lawyers with an opportunity to update their professional competence. The Institute sponsors, or co-sponsors with various bar and business associations, conferences and seminars each year on numerous legal subjects. During the past year, members of the Cumberland faculty and visiting lecturers have presented programs in such diverse areas as trial practice and estate planning. Faculty members also assist Cumberland Alumni Associations across the country in continuing education projects. Students participate in the organization of the continuing legal education program and have the opportunity to meet the nationally known experts who come to lecture.

SAMFORD UNIVERSITY HISTORY

Samford University was founded as Howard College by the Baptists of Alabama and was chartered by the State on December 29, 1841.

Its doors opened on January 3, 1842, in Marion, Alabama, with nine young men enrolled. Today Samford University is the largest privately supported and fully accredited co-educational institution of higher learning in Alabama.

The first president was Samuel Sterling Sherman, a twenty-six-year-old native of Vermont. Under Sherman and succeeding administrations, this young institution grew rapidly, despite two fires, one in 1844 and one in 1854. During the Civil War, the College remained open throughout the hostilities, serving for a time as a hospital for Confederate troops and later as a barracks for Union troops. It also survived the equally trying Reconstruction period.

In the fall of 1887, the College moved from the quiet rural community of Marion to the rapidly growing industrial city of Birmingham, with the campus located in the East Lake section of the city.

The master's degree and courses in pedagogy were offered as early as 1898. A School of Philosophy and Education was organized in 1914, and in the following year a separate Department of Education and the College's first summer school were opened.

In 1920 Howard College had the distinction of being the second institution of higher learning and the first private institution in Alabama to be admitted to membership in the Southern Association of Colleges and Secondary Schools. This was followed in 1927 by the inauguration of a curriculum in pharmacy, which became a four-year, degree program in 1934.

Facing the extreme need for more land for campus growth and the almost complete lack of land adjacent to the East Lake campus, in 1947 the Trustees purchased a rolling hillside site for a new 300-acre campus in the Shades Valley (Homewood) area of greater Birmingham and began developing it in 1954.

The move from East Lake to the new campus with seven buildings was completed in time to begin operations at the new site in September 1957. Development of the new campus has continued at a rapid pace with the twentieth major building, the Orlean Bullard Beeson School of Education, completed and opened in 1979. Thirteen auxiliary buildings have been added, as well as the 6,000-seat, lighted Seibert Stadium.

With the establishment of the Department of Pharmacy in 1927, Howard College began a process of expanding its curriculum to include courses not usually offered in a liberal arts college. Through the years additional offerings emphasizing the enlarged program of the institution were included in teacher education, business administration, and applied music. The Cumberland School of Law was acquired by Samford in 1961. In early 1965 the master's degree program was reinstated, and the Division of Graduate Studies was established. As a consequence of these developments, the Alabama Baptist State Convention, at its annual meeting in November 1965, adopted a recommendation from the

Board of Trustees that the institution be renamed as Samford University in honor of Mr. Frank P. Samford and his distinguished family. Mr. Samford, the University's most generous individual benefactor, had served as chairman of the Howard College Board of Trustees since 1939 and served Samford University in the same capacity until 1973.

PURPOSE

The purpose of Samford University is to promote the development of Christian character. A sense of personal responsibility coupled with the opportunity and stimulus for each student to secure a broad and academically sound education in a positive Christian environment is stressed. To this end, a program has been embraced that stresses the direct relationship between Judeo-Christian ethics and morality and legal justice and responsibility. In fulfilling such a purpose, Samford University seeks to develop leaders for widely varied fields of service. It strives constantly for academic excellence in conscious expression of Christian faith with its commitment to truth and honesty and its concern for human values and the interrelationship of faith and reason.

GREEN CHAIR OF LAW

In 1948 the Green Chair of Law was established in connection with the Second Century Program of development of Cumberland University, which was being operated at this time under the auspices of the Tennessee Baptist Convention. This endowed Chair was named in honor of three men who rendered distinguished service to Cumberland University and to the State of Tennessee. They were Nathan Green; his son, Nathan Green, Jr.; and the latter's son, Grafton Green. Nathan Green and Nathan Green, Jr. were professors in the School of Law. Grafton Green was an alumnus of Cumberland University and took time from his arduous duties as Chief Justice of the Supreme Court of Tennessee to serve as special lecturer in the School of Law.

J. RUSSELL McELROY PROFESSORSHIP OF EVIDENCE

The J. Russell McElroy Professorship of Evidence, established in June 1980, is awarded to an outstanding professor in the field of evidence. The Professorship honors Judge J. Russell McElroy, longtime Circuit Judge in Jefferson County, Alabama, a member of the part-time faculty at Cumberland School of Law, an authority on the law of evidence, and author of *McElroy's Alabama Evidence*. The Professorship is made possible by donations from many members of the Alabama Bar Association.

WHELAN W. and ROSALIE T. PALMER PROFESSORSHIP OF LAW

The Whelan W. and Rosalie T. Palmer Professorship of Law, established in July 1980, is awarded to an outstanding professor in the field of taxation. The Professorship was established by Samford University to honor Whelan W. and Rosalie T. Palmer for their substantial contributions to Christian higher education at Samford University.

ALUMNI DISTINGUISHED LECTURER SERIES

The National Alumni Association of the Cumberland School of Law sponsors a Distinguished Lecturer series each year, bringing to the campus outstanding legal scholars. The Association seeks to provide a forum in which students and faculty can exchange ideas with distinguished members of the legal community.

Among the visitors to Cumberland's campus for this program in the last few years have been:

Professor Guido Calabresi, John Thomas Smith Professor of Law, Yale University;

Professor Morgan Shipman, John W. Bricker Professor of Law, Ohio State University;

Professor David Binder, University of California, Los Angeles;

Professor W. Page Keeton, Professor in the Law of Torts, University of Texas Law School;

Professor Frank E. A. Sander, Harvard University School of Law.

CORDELL HULL LAW LIBRARY

The Cordell Hull Law Library is located in the center of Robinson Hall, which signifies the importance of the library in legal education. The collection includes all of the reported cases from federal and state courts of this country and from the courts of Great Britain and Canada, all federal and state codes, federal and state administrative materials, leading legal periodicals, current loose-leaf services, and treatises. The library contains over 140,000 volumes including microforms and has over 800 subscriptions to legal periodicals. A highly qualified staff, liberal library hours, and the open-stack arrangement of the books make the library resources readily accessible to all Cumberland students and faculty. Special features of the library include an extensive microform collection, a computerized legal research terminal (Westlaw), a videotape library with viewing facilities within the library, and five conference rooms for group discussions and study.

PLACEMENT OFFICE

Through the Placement Office, the School of Law assists third-year law students in securing employment upon graduation. In addition, the School works with first- and second-year students interested in locating part-time or full-time summer employment. The School invites law firms, the judiciary, corporate legal departments, government agencies, and other employers interested in obtaining the services of graduating law students to the law school for on-campus interviews. The School is a member of the National Association of Law Placement Directors, the Southeastern Federal Recruiting Council, and the Southern College Placement Association.

The Cumberland Placement Office provides its service without discrimination based upon sex, handicap, race, color, religion, or national or ethnic origin. Any applicant with a particular concern or question about placement is invited to write to the Director of Placement, Cumberland School of Law, Samford University, Birmingham, Alabama 35229.



Alumnus William M. Bowen, Jr., Class of 1972, Alabama Court of Criminal Appeals Judge, delivers Cumberland Graduation address.



Cumberland Students use the West Law computer in the Cumberland Library.

Chapter II

Academic Information

ADMISSION REQUIREMENTS

A baccalaureate degree from an accredited college or university, a completed application form, application fee, LSAT score, and transcript evaluation from the LSDAS are all prerequisites for consideration by the committee on admissions. The School of Law admits beginning students only in the fall semester. Applications for the fall class should not be filed prior to October, approximately ten months before the time the applicant desires to enter. Each applicant's file should be complete prior to April 1, to be assured that the application will be among those to be considered for admission to the following fall semester.

Four faculty members and a senior law student constitute the committee on admissions. All decisions regarding admissions are handled by this committee. Each applicant's file is reviewed individually by each member of the committee. The total file is considered, including the LSAT score, undergraduate GPA, graduate work if any, leadership qualities, employment experiences, recommendation letters, and character. The relative weight given to these factors is a discretionary matter with each individual committee member. No applicant is admitted without a thorough review of his or her file and, likewise, no applicant is rejected without a thorough review of his or her file. All applications to the Cumberland School of Law receive equal treatment. There are no quotas for resident and nonresident students. It is the policy of the Cumberland School of Law not to discriminate on the basis of sex, handicap, race, color, religion, or national or ethnic origin in its admission policies, educational programs, scholarships, or other school-administered programs.

Although not a prerequisite for admission, interested applicants who desire to visit the campus for a personal interview with a member of the Cumberland faculty are invited to do so. Arrangements for such visits can be made by contacting the Admissions Office.

PRE-LAW EDUCATION

The School of Law has set no rigid pre-law curriculum requirements for admission. Each person's qualifications will be evaluated individually. Rather than attempting to prescribe the specific contents of the individual courses taken by a pre-law student, the Cumberland

School of Law places greater emphasis on the student's ability to read and comprehend accurately, to speak and write clearly, to think precisely, to logically analyze complex fact situations, and to weigh and appraise legal and other materials. It is suggested that the pre-legal program of study include English composition and literature, economics, history, political science, philosophy, psychology and other subjects in the field of social sciences, as well as courses in the natural sciences, mathematics and accounting. It is believed that these courses will academically prepare the prospective law student.

For additional information, see the current *Pre-law Handbook*, published in October and prepared by the Law School Admission Test Council and the Association of American Law Schools. This book includes material on the law and lawyers, pre-law preparation, information on applying to law schools, and the study of law, together with data on most American law schools. It may be obtained at college bookstores or ordered from the Educational Testing Service.

APPLICATION PROCEDURE

1. The applicant must complete and return the form, "Application for Admission" to the Cumberland School of Law of Samford University and meet all requirements noted in this form. Each application form and official letter of acceptance is valid only for the specific semester or term for which admission is sought. The School of Law is currently admitting beginning students only in the Fall Semester. Applications for the fall class should not be filed prior to October, approximately ten months before the time the applicant desires to enter. The applicant has the responsibility of ascertaining that all his credentials have been received by the Law School and that his file is complete. Each applicant's file should be complete prior to April 1, to be assured that his application will be among those to be considered for admission to the following Fall Semester.

2. Application for admission to the Law School must be accompanied by a non-refundable fee of \$25.

3. The applicant must take the Law School Admission Test administered by the Educational Testing Service. The LSAT is usually scheduled to be given in the months of October, December, February, April, and July. The applicant is urged to arrange to take this test on a date which will provide ample time for the results to reach the Law School Admission Office prior to April 1 preceding the Fall Semester for which the applicant is seeking admission. Information concerning this test may be obtained by contacting the LAW SCHOOL ADMISSION SERVICES, Box 2000, Newtown, Pennsylvania 18940.

4. The applicant is required to register with the Law School Data Assembly Service (LSDAS) by completing and mailing the registration

form supplied with each Law School Admission Test blank. A transcript from each college or university attended should then be sent not to the law school but directly to the Educational Testing Service at its address noted in item 3. The LSDAS will summarize the transcript and send a report to this law school. *If you are accepted you will be required to submit a final transcript, showing completion of the requirements for the bachelor's degree, directly to this Law School.*

5. In the LSAT/LSDAS registration packet you will find LAW SCHOOL APPLICATION MATCHING FORMS. To preserve your rights to privacy, ETS has agreed not to release your LSDAS report to any school that does not furnish ETS your Law School Application Matching Form. Cumberland cannot process your application without a Law School Application Matching Form. Therefore, please attach or enclose the form *with your application to Cumberland*. If you do not, the processing of your application will be delayed until the form is received.

6. Each applicant is required to have a letter of recommendation mailed directly to the Chairman of the Law School Faculty Committee on Admissions from the Faculty Advisor (or instructor in the applicant's major field of study) at the College or University where the applicant received the undergraduate baccalaureate degree; or if the applicant has been employed or has been in the military service for several years following graduation from his College or University, he may request this letter of recommendation from his employer or commanding officer. Also, an applicant must have submitted a character reference from a clergyman or other member of the community where the applicant resides, who has personal knowledge of the applicant's personal integrity and character.

7. Each applicant accepted for admission to the School of Law must forward an acceptance deposit in the amount of \$100 in order to reserve his position in the entering class. Upon enrollment this acceptance deposit is credited to the applicant's tuition, but, if the applicant is unable to attend, it is fully refunded if a written request for the refund is received on or before May 1. Upon acceptance two photographs, approximately 2½" x 3", should accompany acceptance deposit.

TRANSFER STUDENTS

It has been the experience of the Cumberland School of Law that students transferring to this law school after beginning their study of the law elsewhere encounter significant problems of scheduling and curriculum, with resultant difficulty both for the student and the School. Therefore, the School of Law does not encourage transfer students to seek admission. In exceptional circumstances, admission may be granted to students who have been in attendance at another nationally

accredited law school. The prospective transfer student must complete and return the form, "application for admission" to the Admissions Office of the Cumberland School of Law and fulfill all requirements noted in this form. A letter from the Dean of the Law School previously attended stating that the student is eligible to continue in good standing and is not under any academic or disciplinary probation, plus an official transcript of all law school work completed must be received before the Committee on Admissions can give consideration to the request for admission. Any student expecting favorable consideration on a transfer basis should have a cumulative grade point average of no less than C+ (1.5 on a 3.0 scale) in his previous law school work. A transfer student must complete a minimum of four semesters in residence at Cumberland as a prerequisite for obtaining the J.D. degree.

REQUEST FOR RECONSIDERATION

Those applicants who seek and do not obtain admission to Cumberland during the year requested but wish to have their application reconsidered for the next class to be admitted should send a letter to the Dean of Admissions asking for such reconsideration along with a fee of \$10 to cover the expense of reactivating the applicant's file. Such request must be received by the Director of Admissions after October 1st and before April 1st of the year preceding the desired admission.

PROGRAM OF STUDY—COURSE LOAD

A student is expected to take a full course load as prescribed by the faculty each academic semester. In special situations, after consultation with the Chairman of the Law School Faculty Committee on Admissions and the approval of the Dean, a limited number of applicants may be admitted to classes on an Extended Program of Study for a course load of less than twelve semester hours for each academic semester but in any case, no less than eight semester hours per each semester.

REQUIREMENTS FOR THE DEGREE OF DOCTOR OF JURISPRUDENCE (J.D.)

Students who have completed eighty-eight semester hours of acceptable credit with a minimum grade point average of 1.0 (which is equivalent to an average grade of "C") and who have acquired six semesters of prescribed residence credit will, upon the recommendation of the faculty of the School of Law, be granted the Doctor of Jurisprudence degree. In order to obtain residence credit for graduation and to comply with the minimum requirements of the standards of the Ameri-

can Bar Association and the Association of American Law Schools, a student must carry a course load of no less than ten semester hours for each and every semester, for a total of six semesters. A summer term schedule of no less than five semester hours is equivalent to one-half semester residence requirement. Thus, a student who attends two summer sessions and takes five semester hours or more both sessions may take less than ten hours during the sixth semester as the residency requirement will have already been satisfied. A student who attends only one summer term of five hours or more must take ten or more hours all six semesters to satisfy the residency requirement. All students, however, are expected to complete a total of eighty-eight semester hours and all other requirements for their degree within three calendar years.

A student who may (under certain circumstances) be granted permission to enroll for less than a full course load, will not be permitted to increase his course load; nor will a student enrolled for the minimum full course load be granted permission to decrease his course load except by permission of the Dean and/or appropriate Faculty Committee and evidenced by the student's written statement, which statement shall be placed in the student's permanent record file.

HONORS

Candidates for the J.D. degree who, on the basis of their three-year's record in law school, are scholastically ranked in the top ten percent of their graduating class may, upon recommendation of the faculty, be awarded degrees *cum laude*, *magna cum laude*, or *summa cum laude*. Students who have been admitted with advanced standing from other law schools must have maintained an over-all average grade of B on all transfer credit and have satisfactorily completed sixty semester hours of course work in the Cumberland School of Law in order to be eligible for honors.

COMBINATION OF J.D. AND M.B.A. OR M.A. PROGRAMS

A limited number of credit hours acceptable as part of the course load for the Master of Business Administration degree or for the Master of Arts degree in history may be earned in the Law School. The Law School and Graduate School of Samford University have a program designed to enable a student to use the summer terms following his first and second years in law school in meeting the requirements for both degrees. This will enable a student to graduate with his class and earn both the M.B.A. and J.D. degrees; or the M.A. degree in history and the J.D. degree in the time ordinarily required for the J.D. degree alone.

CHANGES OF SCHEDULE

All changes in schedules must be authorized by the office of the Registrar or by the Academic Standards Committee.

OUTSIDE EMPLOYMENT

Students enrolled in a full course load are expected to devote substantially all their time to the study of law. First year students are required to forego any outside employment until they have had an opportunity to measure the demands upon their time to adequately prepare their course work. After the first year certain forms of employment can be an experience of value and can benefit those students who need financial assistance in order to secure their education. More than fifteen hours per week of outside employment for any student who is enrolled for a full course load will be considered as excessive. All students may be required to give evidence to the extent of outside employment.

WITHDRAWALS

1. Any student who wishes to withdraw from any course after registration must have the written permission of the professor and must complete the University procedure for dropping a course.
2. If a student who is doing satisfactory work drops a course, WP (withdrawn) will be entered on his record. This carries no academic penalty.
3. If a student who is doing unsatisfactory work in a course drops it, WF (withdrawn failing) will be entered on his record and will carry a penalty as if it were an F.
4. If a student drops out of school or drops a course without notifying the Dean in writing, XF will be entered on his record with the same penalty as F.
5. The date of the course drop will be the date the official drop card properly signed by the appropriate officials is returned to the office of the Dean.

DISCONTINUANCE OF STUDY IN THE SCHOOL OF LAW

After an applicant has been accepted and enrolled as a law student in the School of Law, he is expected to remain in continuous attendance for each subsequent academic semester until he fulfills all requirements

for his law degree unless requested to withdraw because of academic deficiency or the violation of a rule or regulation of the Law School or University. Attendance during the summer terms is optional and therefore inapplicable to the above noted regulation.

A student who voluntarily discontinues study in the Law School or fails to complete any course in which he has been enrolled at any time prior to completion of the work required for the degree (with the exception of the summer terms with the qualification noted in the above paragraph) must make a written request to the Dean for permission to withdraw, indicating the reasons therefor. Failure to make such written request to discontinue the study of law shall be deemed a withdrawal with prejudice. A withdrawal with prejudice shall be noted on the student's permanent record and the student will be ineligible for re-admission to the Law School at a later date.

Any student who with permission discontinues his study of law for any reason after his initial enrollment and prior to completion of his degree and is re-admitted will be bound by all regulations and requirements in effect at the time of his re-admission and such additional requirements as may be prescribed by the Faculty Committee on Academic Standards.

REGISTRATION WITH THE STATE BAR COMMISSIONS

The State Bar Commission of Alabama requires that every person entering a law school with the intention of thereafter applying to the Alabama Bar must file a written notice of his or her intention to begin the study of law and thereafter apply for admission to the Alabama Bar with the Secretary of the Board of Commissioners of the Alabama State Bar.

The application forms used for registration with the State Bar Commission together with forms used for character affidavits and a sheet of instructions may be obtained by writing directly to Secretary, Alabama State Bar, P.O. Box 2106, Montgomery, Alabama, or may be received in the Dean's Office at Cumberland after registration as a Cumberland student. Forms used for Tennessee registration may be obtained directly from the Dean of the Cumberland School of Law after registration as a Cumberland student. Forms for Florida may be obtained from Executive Director, Florida Board of Bar Examiners, Supreme Court Building, Tallahassee, Florida or may be received in the Dean's Office at Cumberland after registration as a Cumberland student.

Students who expect to practice law in states other than Alabama, Tennessee, or Florida should investigate similar requirements in such states and meet all requirements of such states.

POLICY ON CREDIT FROM OTHER LAW SCHOOLS AS A TRANSIENT STUDENT

In order to permit students at the Cumberland School of Law of Samford University to participate in other innovative summer programs around the nation, students with adequate proven scholastic ability will be approved as transient students to attend programs sponsored by other American law schools which are members of the Association of American Law Schools. These programs include study in England, Belgium, France, Israel, Mexico and other countries sponsored by several American law schools. They also include clinical programs, urban studies programs, and similar programs sponsored by other law schools.

In order to receive credit for these programs, the American law school sponsoring such program must grant credit toward its own first professional degree for the specific course undertaken by the student. Except with special permission, the subjects taken must be used in lieu of electives at the Cumberland School of Law. A transcript must be furnished by the sponsoring American law school indicating the course, grade, and credit.

Under special circumstances, a student from out of state will be permitted to take specific courses of particular importance within his state as a transient student in a member school within his state, which credit will be acceptable toward his degree at the Cumberland School of Law.



Presidential Candidate Ronald Reagan poses with student leaders prior to addressing the Cumberland Student Body.

Chapter III

Academic Regulations

The Grading System:

Students are graded in their academic achievements according to a system of letter grades with quality points assigned as noted below:

A	—3.0	D	—0.0
B+	—2.5	F	—0.0
B	—2.0	I	—Incomplete
C+	—1.5	WP	—Withdrawn
C	—1.0	WF	—Withdrawal Failing
D	—0.5	P	—Pass

Report of Grades:

Generally the report of a student's grades for each semester is sent to the student personally.

Attendance in Class:

Regularity and punctuality in class attendance are required. No student may take an examination or receive credit in a course if he has been absent in the course in excess of twenty percent of the class periods. The Dean and the faculty will consider requests for permission to be absent because of emergency conditions. Absence from classes is a factor which may be taken into consideration in determining final grades.

Academic Standards:

Rules of the Committee on Academic Standards governing probation and dismissal of students with academic deficiencies are as follows:

All students in the Cumberland School of Law of Samford University are required to maintain an overall cumulative grade point average of "C" (1.0 on a 3.0 scale). However, a beginning student may be permitted two academic semesters to attain an overall cumulative grade point average of 1.0 unless his first academic semester's overall cumulative grade point average is less than 0.5, in which case he will be dismissed for academic deficiency at the termination of his first academic semester. Any student who has a grade point average of 0.5 or

better at the end of his first semester and who does not have an overall cumulative grade point average of 1.0 at the end of his second semester will be dismissed for academic deficiency at the termination of his second semester and will remain ineligible for re-admission without approval of the Academic Standards Committee.

After satisfactory completion of the first two academic semesters, any student who thereafter fails to maintain an overall cumulative grade point average of 1.0 will automatically, without written notice, be placed on probation and may be permitted to continue attendance for the next succeeding academic semester or summer term on a probationary status after which his overall cumulative grade point average must be no less than 1.0 or he will be dismissed and will remain ineligible for re-admission. Any student who is uncertain about his status may request information from the Academic Standards Committee.*

HONOR CODE

Cumberland students adopted an honor code in the 1974-1975 school term. This code was revised in the Spring of 1979. The Code places each student on his/her honor in the following areas of academic affairs:

1. Cheating. Work submitted in any Law School matter must be the result of one's individual efforts or noted otherwise.
2. Stealing. The Code prohibits the stealing or willful destruction of any institutional or personal property while a student at Cumberland School of Law.
3. Lying. It is an offense under the Code for any student to knowingly issue a false oral or written statement pertaining to any academic matter while a student at the Cumberland School of Law.

Twelve justices are elected by the student body, and these, in turn, select a chief justice from among themselves. In the event that a trial becomes necessary the honor court conducts both the investigation and the trial. Much careful planning has gone into the goal of preserving maximum due process protection. At the request of the accused, trials are kept totally secret and all documents and evidence are destroyed upon acquittal. If convicted, the defendant may request destruction of the documents after graduation. The court makes recommendations for discipline to the Dean if a defendant is found guilty.

*Receipt of official grade report from the University Registrar's Office indicating grades for specific courses and overall cumulative grade point average shall constitute official written notice to the student of his academic status.

Chapter IV

Tuition and Fees

TUITION

The basic cost for the law student is \$120.50* per semester hour, not including variable expenses such as books, supplies, and special charges for late registration, change of schedule, etc. All student charges are payable at the beginning of the semester.

After completion of the registration procedure, an invoice will be sent to the person indicated by the student on his registration forms. The invoice will reflect any previous credits to the student's account (or any unpaid balances). The amount shown on the invoice must be paid by the date designated on the invoice. Payment after the due date will incur a \$10.00 penalty.

Students who wish to arrange a deferred payment plan are referred to any one of the several lending and trust agencies which cooperate with the University in this connection. It should be noted that it is the sole responsibility of the student and/or his parents to make deferred payment arrangements in advance of registration.

Refunds:

No reduction in tuition charges will be allowed for any course dropped after two weeks from the first day of registration. In order to be eligible for any reduction in charges or refunds for withdrawal or suspension from the University, the student must present to the Registrar an official withdrawal form, dated and signed by the Dean of the Law School. If a student withdraws or is suspended, he will be required to pay the University the following percentage of all tuition and fees applying to that semester (the first day of registration will be considered the first day of school):

*Every possible effort is made by the University to avoid tuition increases; however, the University must reserve the right to change tuition at its discretion. Such changes are considered by the Board of Trustees at the annual May meeting. Since the catalog for the following school year is published prior to this meeting, it is impossible to have the final tuition figure for inclusion in the catalog.

1. Withdrawal or suspension before classes begin—10% of all tuition and fees applying to that semester (in no case less than the application deposit)
2. Within two weeks after the beginning of the semester—20% of all tuition and fees applying to that semester (not less than \$50.00)
3. After two weeks, but prior to six weeks—50%
4. Six weeks and thereafter—100%
5. Refunds for a summer term will be adjusted in a comparable manner, but based upon a fewer number of weeks in attendance. No refunds will be made after three weeks.

FEES FOR DROPS AND ADDS

Drops and adds are changes in a schedule that do not involve complete withdrawal from school. During the first two weeks of the term, the following rules apply:

1. If a student changes his schedule but does not reduce the total number of hours for which he originally registered, he will pay a \$3 change of schedule fee plus the applicable tuition and fees on any hours added.
2. If a schedule change results in a reduction of the student's total hours, tuition and fees will be adjusted, but a charge of \$7 will be made for each hour by which the original total is reduced. For example:
 - Drop 3 hours and add 2—charge \$ 7.00
 - Drop 3 hours and add 1—charge 14.00
 - Drop 3 hours and add 0—charge 21.00
3. Courses may not be added after the first two weeks of the term. If a course is dropped after the first two weeks of the term, no reduction in charges will be made.
4. Each change in schedule is considered a separate transaction and previous transactions will have no bearing on the calculation of charges.
5. All charges for drops and adds *must* be paid in the Student Accounts Office in cash before the transaction can be completed. None of these fees can be added to the student's invoice.

Please note that it will benefit the student to register only for the number of hours he is sure he can take. It will be less expensive to add hours than to drop hours.

REFUNDS

(Summer Sessions)

The summer session refund policy for withdrawal, drops and adds, or suspension is as follows:

1. Before classes begin—the student will be required to pay the University 10% of all tuition and fees.
2. Within the first week—the student will be required to pay the University 20% of all tuition and fees.
3. After the first week, but before the end of the second week, the student will be required to pay the University 50% of all tuition and fees.
4. If a student withdraws from a summer term after the second week, he will be required to pay all charges for tuition and fees for the entire term.
5. Drops and adds will be handled as mentioned above, except that after one week no reduction will be made in charges.
6. For purposes of computing adjustments, the first day of registration will be considered the first day of school.

SPECIAL FEES

(Not included in tuition)

These fees apply to all classes, fall, spring, or summer:

Automobile parking and registration, per year.....	\$ 5.00
Failure to register a car and properly display the identification decal will subject the offender to a \$5.00 fine. A leaflet giving detailed traffic and parking regulations may be secured in the Traffic Control Office.	
Graduation (includes senior picture charge of \$10.00).....	\$ 37.00
Late registration.....	\$ 10.00
Late payment.....	\$ 10.00
Special examinations to make up excused absences.....	\$ 12.00
Transcript, payable in advance (each copy after the first).....	\$ 2.00
Application fee (non-refundable).....	\$ 25.00
Reapplication fee.....	\$ 10.00
Acceptance deposit (credited to applicant's tuition).....	\$100.00
Return check fee.....	\$ 10.00

HOUSING

Off-Campus Housing:

Due to various factors including the limited number of on-campus accommodations and the absence of separate graduate student residence hall facilities on campus, most law students prefer off-campus

lodging. There are numerous apartment complexes near the Samford campus.

One of the services available to assist law students living off-campus is Phoenix Off-Campus Services. Phoenix is a student organization which has entered into agreements with the three major utilities in the Birmingham area—Alabama Power Company, South Central Bell Telephone Company and Alabama Gas Corporation—so that students at Cumberland School of Law can avoid the payment of utility deposits when they join Phoenix Off-Campus Services. Payment of a \$10 membership fee can result in a savings of approximately \$100-\$150 when the utility services are begun.

Students interested in Phoenix or in any aspect of off-campus housing should direct their inquiries to the Cumberland Student Bar Association.

On-Campus Housing:

For *single* students preferring to live on campus, Samford provides six residence halls containing single, double, and triple rooms, some with private baths, some with connecting baths, but most with baths on the halls. All rooms have telephones.

Room and board rates for men per regular semester range from \$571.00 per occupant to \$1052.00 per occupant. Summer term room rates for men range from \$235.00 per occupant to \$257.00 per occupant.

Room and board rates for women per regular semester range from \$571.00 per occupant to \$1067.00 per occupant. Summer term room rates for women range from \$245.00 per occupant to \$305.00 per occupant.

The University reserves the right to assign or re-assign residence hall accommodations according to its own best judgment.

An individual desiring a residence hall room must complete and submit a room application form. All inquiries and arrangements regarding residence hall accommodations should be directed to the Office of University Housing.

For *married* students preferring to live on-campus, Samford provides fifty apartment units. These are two-bedroom accommodations located on Odom Lane. Rental rates range from \$95.00 per month to \$165.00 per month plus utilities. All apartments require a \$50.00 deposit and a twelve month Automatic Renewal Lease. Applications for apartments can be acquired from the Office of University Housing, Samford University.

Chapter V

Master Schedule and Curriculum

REQUIRED COURSES

First Year

FALL SEMESTER	SPRING SEMESTER
Torts I.....3	Torts II.....3
Contracts I.....3	Contracts II.....3
Property I.....3	Property II.....3
Criminal Law.....3	Civil Procedure I.....3
Constitutional Law I.....2	Constitutional Law II.....2
Legal Research and Writing.....1	

Second Year

FALL SEMESTER	SPRING SEMESTER
Civil Procedure II.....3	Evidence.....3
Business Organizations.....4	Federal Estate and Gift Tax....2
Federal Income Tax.....3	*Commercial Transactions II.....3
*Commercial Transactions I.....3	*Business Planning.....2
	or
	Legal Accounting.....2

Third Year

FALL SEMESTER	SPRING SEMESTER
Decedents' Estates and Trusts I.....3	Decedents' Estates and Trusts II.....3
Conflicts.....3	Professional Responsibility.....2
	Trial Advocacy.....1

*May be taken in third year at student's option.

SUMMER TERM

The summer term usually consists of elective courses and seminars, but a minimum number of required courses are generally offered,

such as Business Planning, Legal Accounting, Professional Responsibility, and Trial Advocacy. The summer schedule will be announced during the spring semester.

THE SCHOOL OF LAW RESERVES THE RIGHT TO CHANGE OR ALTER THE MASTER SCHEDULE WITHOUT PRIOR NOTICE WHENEVER IN THE OPINION OF THE DEAN AND THE FACULTY IT IS ACADEMICALLY BENEFICIAL TO DO SO.

DESCRIPTION OF COURSES

FIRST YEAR REQUIRED COURSES

LAW 502. TORTS I. (3) General principles of tort liability; parties held responsible; injuries to persons, property, and character; negligence; acts at peril; unlawful interference with business; remedies.

LAW 503. TORTS II. (3) Continuation of LAW 502.

LAW 506. CONTRACTS I. (3) General principles of contract law, including pertinent provisions of the Uniform Commercial Code; principles of offer, acceptance, mutual assent, consideration, and capable parties; statute of frauds; parole evidence; assignment; third party beneficiaries; quasi-contracts; remedies.

LAW 507. CONTRACTS II. (3) Continuation of LAW 506.

LAW 522. CONSTITUTIONAL LAW I. (2) Preconstitutional development, philosophy, and form of constitutions; interpretation and constructions; amendment of constitutions; the Federal System; distribution of sovereign powers, powers of the executive, powers of the legislature and judicial powers; constitutional limitations and guaranties.

LAW 523. CONSTITUTIONAL LAW II. (2) Continuation of LAW 522.

LAW 555. CIVIL PROCEDURE I. (3) Introduction to the basic elements of civil procedure; general rules of pleading and requirements of form for the various pleadings; discovery and other pre-trial proceedings.

LAW 561. CRIMINAL LAW. (3) General principles of criminal law with emphasis on the Model Penal Code; intent; the act itself; justification and defenses.

LAW 573. PROPERTY I. (3) The feudal system; tenures; freehold and non-freehold estates; construction of limitations in deeds and wills; transfers inter vivos; covenants running with the land; easements and profits; reversionary rights; personal property and chattels.

LAW 574. PROPERTY II. (3) Continuation of LAW 573; conveyancing and modern property transactions.

LAW 581. **LEGAL RESEARCH AND WRITING.** (1) Fundamental tools of legal research and their use; problems and memoranda are assigned so that the student might learn how to develop skills in legal research techniques.

SECOND YEAR REQUIRED COURSES

LAW 607. **EVIDENCE.** (3) Rules governing admission and exclusion of evidence; judicial notice; presumptions and burden of proof; admissions, the hearsay-evidence rule, and its exceptions; documentary evidence; the parole evidence rule; expert testimony and expert opinion evidence; circumstantial evidence; real evidence, provinces of court and jury; witnesses; evidence illegally obtained; effect of contracts; changing or waiving rules of evidence.

LAW 620. **CIVIL PROCEDURE II.** (3) Continuation of LAW 555; procedural aspects of trial; post-trial proceedings.

LAW 631. **COMMERCIAL TRANSACTIONS I.** (3) Survey of the law of commercial transactions; the Uniform Commercial Code; sales; commercial paper; bank collections; secured transactions.

LAW 632. **COMMERCIAL TRANSACTIONS II.** (3) Continuation of LAW 631.

LAW 637. **BUSINESS ORGANIZATIONS.** (4) Formation of corporations and their powers; duties and liabilities of directors; rights and powers of stockholders; promoters' agreements; distribution of corporate powers; de facto existence; directors' duties and remedies; general principles of the law of agency and partnership.

LAW 693. **ACCOUNTING FOR LAWYERS.** (2) Analysis of balance sheet, income statement, and accounting concepts and principles that serve as controls over corporate distributions; financial reporting and investor protection; problems in accounting relating to various areas of the law.

LAW 745. **BUSINESS PLANNING.** (2) Seminar-type course; drafting of such instruments as Articles of Incorporation and Agreements on Recapitalization, Merger and Liquidation; tax consequences to corporate officials and stockholders; problems include selection of capital structure, allocation of control, and evaluation of assets and stock. This course is limited to students who have had at least three (3) hours of Federal Taxation.

LAW 762. **FEDERAL ESTATE AND GIFT TAX.** (2) Origin and economic basis of federal estate and gift tax; jurisdiction to tax; estate tax problems; gift tax problems.

LAW 763. FEDERAL INCOME TAX. (3) Origin and economic basis of federal income tax; jurisdiction to tax; taxable income; exceptions and deductions; capital gains; basis and adjusted basis; income tax problems.

THIRD YEAR REQUIRED COURSES

LAW 694. DECEDENTS' ESTATES AND TRUSTS I. (3) Form and requisites of wills; fraud and undue influence; restraints on testamentary power; capacity and power to make wills; execution and revocation; construction and interpretation; nature, creation, and elements of a trust; expressed and implied trusts; rights, duties, and liabilities of trustees and beneficiaries; liabilities of third persons; transfers by trustees and beneficiaries; doctrine of notice as applied to trusts; administration of estates; powers and duties of fiduciaries; settlement and distribution of decedents' estates and tax problems incident thereto; problems in future interests as applicable to decedents' estates and trusts.

LAW 695. DECEDENTS' ESTATES AND TRUSTS II. (3) Continuation of LAW 694.

LAW 741. CONFLICT OF LAWS. (3) Problems of procedural and substantive law concerning the rights of persons and property within the territorial borders of one state or nation by reason of acts done within the territorial borders of another state or nation.

LAW 781. PROFESSIONAL RESPONSIBILITY. (2) Duties of lawyers to courts and clients; ethical problems in actual practice; attitude toward the court and fellow members of the bar; unauthorized practice of law; Canons of Judicial Ethics and Code of Professional Responsibility.

LAW 816. TRIAL ADVOCACY. (1) Mock trials conducted by students from pre-trial conference through the rendering of a verdict; tried before a judge and before jurors selected from the community; limited amount of class-room instruction. The course is limited to seniors only. This course is required for all students and thus does not count toward the maximum allowable clinical or research hours.

*ELECTIVE COURSES

LAW 583. APPELLATE ADVOCACY I. (1) Emphasis on appellate writing, commencing with notice of appeal; preparation of writs and briefs; class lectures and individual instruction.

LAW 600. APPELLATE ADVOCACY II. (2) Continuation of LAW 583; emphasis on development of the art of oral advocacy, including participation in supervised practice and competitive oral arguments.

LAW 603. CURRENT LEGAL PROBLEMS. (1) Research on legal problems in any field of law, carried on with the consent of the instructor involved; special emphasis upon the proper presentation of the research, which may involve speaking to or working with school and civic groups outside the law school setting.

LAW 606. TRIAL AND APPELLATE PRACTICE. (2) Jurisdiction and practice incident to civil and criminal appeals; drafting of pertinent documents.

LAW 610. APPELLATE BRIEF WRITING. (1) Techniques of successful brief writing at appellate level.

LAW 622. EQUITY. (3) Rise and progress of the High Court of Chancery; equitable maxims; trusts; mortgages; assignments; accidents and mistakes; notice; equitable estoppel; conversion and reconversion; specific performance; injunctions; accounts; partnership, creditors, and administration suits; jurisdiction over infants, idiots, and lunatics; bill quia timet and for a discovery.

LAW 624. RESTITUTION. (2) Survey of restitutionary recovery, including both legal and equitable remedies; rescission of contracts; quasi-contract and constructive trust; equitable accounting; money had and received.

LAW 625. FIRST AMENDMENT RIGHTS. (2) Advanced course in constitutional law, dealing with those rights and freedoms guaranteed by the first amendment; separation of church and state; freedom of speech; freedom of the press; the right to privacy; related problems.

LAW 644. DAMAGES. (2) General principles of damages; nominal, compensatory, and punitive; measurement of damages in particular actions; speculative, remote, or contingent damages; aggravation or mitigation of damages; general and special damages.

LAW 650. RESEARCH BOARD I. (1) A board of senior law students consisting of the Chairman and five Directors and of junior and senior law students who serve as counselors for students in LAW 581 and as research counselors. Members are selected on the basis of scholarship and interest in legal writing.

LAW 651. RESEARCH BOARD II. (1) Continuation of LAW 650.

LAW 652. RESEARCH BOARD III. (1) Continuation of LAW 650 and 651.

LAW 661. MUNICIPAL CORPORATIONS. (2) Nature of municipal corporations; their creation and organization; municipal charters; municipal territory; powers of municipal corporations; their governing bodies; municipal officers; contracts; torts; property; records; dissolution; police powers; land use regulations; funds; indebtedness.

LAW 662. DOMESTIC RELATIONS. (3) Persons under disability and their contracts and torts; marriage and divorce, including validity of inter-state divorces; rights and liabilities of husband and wife; property rights under common law and Married Women's Acts; parents' and children's rights and obligations arising from the relationship; guardian and ward.

LAW 665. CRIMINAL PROCEDURE. (3) Survey of issues from pre-trial through post-appeal; emphasis on constitutional criminal procedure and landmark United States Supreme Court decisions; Federal Rules of Criminal Procedure discussed where applicable.

LAW 680. LEGAL HISTORY. (2) History of Anglo-American law from its early beginning in the eleventh century to its present position in the twentieth century; development of writs; courts and juries; development of legal institutions; reception of the English law in America.

LAW 685. ADMIRALTY. (2) Maritime jurisdiction; maritime liens; claims of maritime workers; carriage of goods at sea; particular maritime transactions, including charter parties, salvage, general average, and insurance; liability for collision; limited liability.

LAW 691. SPECIAL RESEARCH PROBLEMS I. (1) Special research problem arranged by the individual student with the approval and under the supervision of a faculty advisor.

LAW 692. SPECIAL RESEARCH PROBLEMS II. (1) Continuation of LAW 691.

LAW 703. ALABAMA EVIDENCE. (2) Continuation of LAW 607; emphasis on particular Alabama rules of evidence and specific Alabama interpretations; application of general principles in this field.

LAW 704. INSURANCE. (2) Theory of insurance; kinds of insurance, including fire, life, accident, and other forms; insurance contracts; premiums; insurable interest; risks insured against; rights, duties, and liabilities of insurer and insured; representations and warranties; payment of losses, contribution, and subrogation; reinsurance; actions on policies.

LAW 705. RESEARCH AND WRITING. (1) A seminar coordinating research techniques and incorporating the use of specialized material in designated subject matter area. This course is limited to seniors only.

LAW 707. BANKRUPTCY. (2) Creation of courts of bankruptcy; acts of bankruptcy; voluntary and involuntary bankruptcy; process, pleading, schedules, and adjudication; debts dischargeable and not dischargeable in bankruptcy; appointment of receivers and trustees; granting and revocation of discharges in bankruptcy; administration of the bankrupt's estate; coverage of pertinent provisions of the Uniform Commercial Code.

LAW 708. LAW PRACTICE SEMINAR. (2) Seminar conducted by local attorneys; preparation of legal documents and the routine processing of such documents; opportunity for students to observe and analyze the practical operation of a law practice.

LAW 711. LAW AND POVERTY. (2) Examination of special legal problems pertaining to the poor; housing; racial discrimination; consumer credit; family law.

LAW 715. REAL ESTATE TRANSACTIONS. (2) Course designed to follow Property II; preparation and examination of instruments relating to leases, sales, mortgages, and other real estate transactions; preparation and examination of abstracts of title and rendering of title opinions. This course is limited to students who have had Property I and II.

LAW 721. FEDERAL SECURITIES LAW. (2) Seminar in federal regulation of the trading and distribution of corporate securities; designed to develop familiarity with basic source materials relating to federal regulation of the securities market.

LAW 722. LAW AND SCIENCE. (2) Seminar devoted to the analysis of problems involving the integration of scientific and technological information and techniques into the legal process; scientific and legal methodology in the context of decision-making by lawyers, juries, courts, and legislatures.

LAW 730. UCC SEMINAR I. (2) In-depth study of one of the articles of the Uniform Commercial Code.

LAW 731. UCC SEMINAR II. (2) Advanced seminar dealing with selected areas of the Uniform Commercial Code.

LAW 732. STATE AND LOCAL TAXATION. (2) Study of the nature of various state and local taxes, including income taxes, franchise taxes, sales and use taxes, and property taxes; special emphasis on interstate corporations.

LAW 734. ISSUES IN LEGAL EDUCATION. (2) Study of problems and trends in legal education; curriculum development and flexibility; clinical education; student involvement in the mechanics and processes of law school administration; specialization; admissions; student and faculty evaluation.

LAW 735. LEGAL ISSUES IN EDUCATION. (2) Study of basic legal problems in education, including a survey of statutory and case law dealing with the rights, obligations, and responsibilities of students, teachers, and administrators.

LAW 736. CIVIL RIGHTS LITIGATION. (2) Exploration of the limits on the power of government to regulate individual and group

activity, emphasizing the constitutionally guaranteed civil rights of every citizen.

LAW 737. PRACTICAL PROBLEMS IN EVIDENCE. (2) Seminar-type course in which students work with Civil and Criminal Circuit Court Judges, performing research, preparing memoranda, and participating in actual pre-trial conferences.

LAW 738. STATE AND FEDERAL LEGISLATION. (2) Practical study in drafting legislation; legislative enactment processes; pertinent current legislation.

LAW 742. INTERNATIONAL LAW. (2) Nature, scope, development, and jurisdiction of international law; rules of warfare; treaties; sanctions; world organization.

LAW 743. INTERNATIONAL TRADE LAW. (2) Survey of basic legal problems faced by corporations, joint enterprises, and individuals doing business abroad; export-import operations and related problems studied from American and foreign-law viewpoints.

LAW 744. ADMINISTRATIVE PROCESS. (3) Study of the functions and procedures of administrative agencies operating within the executive branch of government; investigation, interpretive, rulemaking, adjudicatory, and enforcement functions of administrative agencies; judicial review of administrative action.

LAW 746. MILITARY JUSTICE. (2) Principles of military law; court martial procedure; rules of land warfare.

LAW 747. TRIAL PRACTICE. (2) Seminar-type course designed to continue students' study of procedure, emphasizing procedural aspects of trial. This course is limited to seniors who have had Civil Procedure I and II.

LAW 748. LAW AND MORALITY. (2) Various bases for legal and moral norms are examined with emphasis on the concept of justice; ethical theory-building; inter-disciplinary approach; in-depth research and dialog with respect to social, legal, and moral issues; consideration of the practical consequences of various value premises.

LAW 749. ALABAMA CIVIL PROCEDURE. (2) Study of motions, pleadings, and trial procedure in civil actions in Alabama under the Alabama Rules of Civil Procedure and Amendments thereto; practical exercises and case study.

LAW 750. ADVANCED PROBLEMS IN BUSINESS ORGANIZATIONS I. (1) Seminar analyzing advanced problems in corporate law and formulating theories concerning methods of defining and regulating entrepreneurial activity.

LAW 751. ADVANCED PROBLEMS IN BUSINESS ORGANIZATIONS II. (1) Continuation of LAW 750.

LAW 752. ADVANCED PROBLEMS IN LABOR LAW. (2) Seminar primarily designed to give second- and third-year students with a keen interest in labor law an opportunity for concentrated consideration of selected problems in the area. This course is limited to students who have had Labor Law.

LAW 760. PROBLEMS IN FEDERAL INCOME TAX. (1) Laboratory approach to Federal Income Taxation as a supplement to Federal Income Tax; preparation of some income tax forms; gross income; deductions; tax computations including income averaging; brief survey of Alabama income taxation.

LAW 761. CORPORATE TAXATION. (3) Federal income taxation of corporate formation; reorganizations; operations; distributions and adjustments of capital structure.

LAW 764. ESTATE PLANNING. (2) Utilization of the federal income, estate, and gift tax systems in estate planning.

LAW 765. FEDERAL TAX PROCEDURE. (2) Organization of and administrative practice before the Internal Revenue Service: examination of returns, conference procedures, protests, summons, and notice of deficiency; and collection procedures and practice before the U.S. Tax Court: jurisdiction, pleadings, settlement, trial procedures, and Rules of the Tax Court; refund suits in the U.S. District Courts and U.S. Court of Claims. This course is limited to students who have had Federal Income Tax.

LAW 766. FEDERAL COURTS—CIVIL. (2) Advanced course in federal courts and jurisdiction that supplements the Civil Procedure courses; problems, conflicts, and accommodations in jurisdiction, procedure, and review peculiar to the dual system of federal and state courts. This course is limited to students who have had Civil Procedure I and II.

LAW 767. LABOR LAW. (2) Legal problems incident to collective bargaining by employees at common law and under modern federal and state legislation; Taft-Hartley Act; closed shop; union shop; picketing; the strike; rights of labor and rights of management; common-law rights of employees and rights under modern federal and state legislation.

LAW 768. EMPLOYEE BENEFITS. (2) Study of benefits from the employment relationship; workmen's compensation; unemployment insurance; social security.

LAW 769. STUDENT SEMINAR I. (1) Seminar; selected third-year students will be involved with small seminars of about ten first-year students and will work under the supervision of a regular, full-time

faculty member to develop the thought processes of the first-year students in the particular area, such as Constitutional Law, Contracts, Torts, etc.

LAW 770. STUDENT SEMINAR II. (1) Continuation of LAW 769.

LAW 771. OIL AND GAS. (2) Study of the law, statutes, and regulations relating to the production, processing, and transportation of oil and gas.

LAW 772. REGULATED INDUSTRIES. (2) Regulatory control of business activity; restriction of entry; price, service, and wage regulation; control of price and service discrimination under the Robinson-Patman Act; economic, political, and social variables that influence government regulatory policy.

LAW 773. ANTITRUST LAW. (2) Antitrust policy under the Sherman, Clayton, and Federal Trade Commission Acts; price fixing; resale price maintenance; market division; exclusive dealing; trade association activities; monopoly and mergers; economic, political, and social variables that influence antitrust policy.

LAW 774. SPECIALIZED SKILLS. (2) Seminar covering procedures necessary to achieve litigants' objectives in each of the following specialized areas: mandamus, prohibition, quo warranto, attachment, injunctions, actions to quiet title, unlawful detainer, garnishments, trial of right of property, etc.

LAW 775. MODERN CONSTITUTIONAL PROBLEMS. (2) Recent decisions of the United States Supreme Court and implications thereof; problems in a changing society.

LAW 777. MOOT COURT BOARD I. (1) A board of junior and senior law students consisting of the Chief Justice, three Justices, and Associate Justices who write the problems and supervise the brief writing for students in LAW 583 and judge the oral arguments for students in LAW 600; the Board also supervises interscholastic appellate advocacy competition. This course is limited to students who have completed one semester of Moot Court Board work.

LAW 778. MOOT COURT BOARD II. (1) Continuation of Law 777.

LAW 779. MOOT COURT BOARD III. (1) Continuation of Law 778.

LAW 780. LAW AND MEDICINE. (2) Study of the principle organ systems, elementary pathology, toxicology, and clinical psychiatry; preparation and participation of medical witnesses; hospital charts and records; malpractice and interprofessional problems; anatomical charts and similar aids.

LAW 782. FRANCHISING. (2) Problems beyond basic contract law involved in modern business transactions concerning multi-state franchising operations.

LAW 783. PSYCHIATRY/PSYCHOLOGY AND LAW. (2) Survey of the applications of psychiatry and psychology to the practice of law; expert testimony; criminal and civil competency; involuntary commitment and right to treatment as a matter of due process; testamentary capacity; domestic relations, including divorce, child custody, and abortion; professional liability of the psychotherapist; interviewing and consultation skills; jury selection and body language; psychiatric consultation on tort liability and damages including traumatic neurosis; referral for treatment, including drug abuse, alcoholism, and sexual offenses.

LAW 784. PRODUCT LIABILITY. (3) Study of the common law of product liability with particular emphasis on the theories of recovery for harm from dangerous and defective products; problems relating to proof, litigation, legislation, and trial techniques; lectures by practicing attorneys who practice in the area of product liability.

LAW 785. CORRECTIONAL LAW SEMINAR. (2) Study of different theories of punishment and incarceration, which begins with the sentencing decision of the judge; conditions of incarceration as dictated by the Constitution; prisoners' rights; the decision to release the offender on parole with his consequent supervision and attempted re-integration into society.

LAW 786. ADVANCED PROBLEMS IN EVIDENCE. (2) Seminar-type course taught by the problem method in which the student is assigned problems involving specialized areas of evidence that are not covered in the basic course; problems designed to present an in-depth study of evidentiary questions as they would arise in a trial setting.

LAW 787. JUVENILE JUSTICE ADMINISTRATION. (3) Study of the basic principles of juvenile court procedures from the time of detention to final disposition.

LAW 788. ADVANCED PROBLEMS IN TORTS. (2) Seminar designed to give second- and third-year students with a keen interest in the law of torts an opportunity for concentrated consideration of selected problems in this area.

LAW 789. ADVANCED PROBLEMS IN PROPERTY I. (1) Study of selected legal problems relating to the ownership and use of real estate; concentrated research in a specialized area of the law of property.

LAW 790. JURISPRUDENCE. (2) Study of ideology and the basic values and ideals of western civilization as traced from the ancient Greeks to the present and as incorporated in the legal system; democ-

racy; aristocracy; liberalism; conservatism; socialism; capitalism; freedom; justice; theories of the nature of the judicial process; the origin, sources, and nature of law; the normative, imperative, ideal, and social-control conceptions of law; schools of juristic thought such as utilitarianism, pragmatism, American legal realism, and sociological jurisprudence.

LAW 791. JUDICIAL DECISION PROCESS. (2) Study of the art, craft, or business of "judging"; study of how courts decide cases; analysis of decision making as it actually takes place and as it ought to take place.

LAW 792. ADVANCED PROBLEMS IN PROPERTY II. (1) Continuation of LAW 789.

LAW 793. ADVANCED PROBLEMS IN CORPORATE TAXATION. (2) Advanced problems in federal income taxation of corporations.

LAW 794. ADVANCED PROBLEMS IN CONSTITUTIONAL LAW. (1) Continuation of LAW 522 and 523.

LAW 795. LAW REVIEW I. (1) This course is limited to students who have successfully completed one semester of *Law Review* work.

LAW 796. LAW REVIEW II. (1) Continuation of LAW 795.

LAW 797. LAW REVIEW III. (1) Continuation of LAW 796.

LAW 798. ENVIRONMENTAL LAW. (3) Study of the rapidly evolving common law, statutory, and administrative responses to environmental degradation with particular emphasis on the National Environmental Policy Act; air, water, and noise pollution control; federal impacting programs and public lands and water.

LAW 799. DEFERRED COMPENSATION. (2) Study of pension and profit-sharing plans under the Employee Retirement Income Security Act of 1974; other deferred compensation techniques.

LAW 800. BASIC SKILLS IN ADVOCACY. (1) Actual trial participation; lectures by attorneys specializing in trial practice; preparation of trial memoranda; the various steps of a law suit from negotiation for an out-of-court settlement and the actual trial of the case through final judgment. This course is limited to juniors.

LAW 801. JUDICIAL CLERKSHIP. (1) Students will be assigned to Circuit Judges during the semester to do research, assist in the writing of judgments, and/or observe three (3) hours per week during the regular semester (45 hours minimum) or six (6) hours per week during the summer semester (45 hours minimum); students will not be certified under the Alabama Student Practice Rule. The credit received in the

course will be counted as one of the maximum of six (6) hours allowed in the clinical program.

LAW 802. CORPORATE CLERKSHIP. (1) Students will be assigned to legal departments of banks, companies, corporations, or other similar institutions; designed for the student who may want to specialize in these areas upon graduation; available to both juniors and seniors and requires three (3) hours per week during the regular semester (45 hours minimum) or six (6) hours per week during the summer semester (45 hours minimum); the student cannot be paid for these hours; students will not be certified under the Alabama Student Practice Rule. The credit received will be counted as one of the maximum of six (6) hours allowed in the clinical program.

LAW 803. COUNSELING AND NEGOTIATING. (2) Effective interviewing, advising, influencing, brokering, negotiating, developing facts, and setting fees is discussed and experienced; appropriate non-legal remedies. This course is limited to seniors.

LAW 808. LAW PRACTICE SEMINAR. (1) Lectures by faculty members in conjunction with hypothetical problems involving but not limited to the following areas: partnerships; leases and real estate; office equipment and law library; office procedure; insurance; financing; client counseling; development of a lawsuit; evaluation of a lawsuit; incorporation; civil rights; hearings; preparation of federal income tax returns. This course is limited to seniors.

LAW 809. SUMMER SUPREME COURT CLERKSHIPS. (2) Students work as interim clerks for the Alabama Supreme Court during the summer; students must work a minimum of twenty-four (24) hours per week in the offices of the Supreme Court of Alabama, either in Birmingham or in Montgomery; students will be assigned to work under a specific Division of the Court or with the office of the Clerk of the Supreme Court; assignments include: general research on individual cases, administrative and procedural research, and other skills pertaining to the appellate process; prior approval of the Clinical Committee and the Supreme Court must be obtained; enrollment is limited. The course will be graded and will count toward either the six (6) hours of clinical courses or the five (5) research hours.

LAW 810. LEGAL INTERN I/ADVANCED TRIAL TECHNIQUES. (2) Each student enrolled in this course will receive two (2) hours of classroom instruction per week and will be required to work a minimum of eighteen (18) hours during the semester in one of the following previously assigned offices: (1) District Attorney of Jefferson County; (2) Legal Aid Society of Birmingham; (3) Private Attorney. A student must also observe a minimum of eight (8) hours in actual trials; a weekly report of the work done will be submitted by the student to the

instructor; students enrolled will be certified under the Alabama Student Practice Rule and will thus be required to have completed fifty-four (54) semester hours, including Criminal Law, Civil Procedure I, and Evidence; in addition, the student must have taken or be taking Trial Advocacy; the Alabama Student Practice Rule allows students to try cases, prepare pleadings, negotiate settlements, interrogate witnesses and clients, and prepare appellate briefs under the supervision of a licensed attorney. The credit received will be counted toward the maximum of six (6) hours allowed in the clinical program.

LAW 811. LEGAL INTERN II/ADVANCED TRIAL TECHNIQUES.

(1) Continuation of LAW 810; students will continue in the office assigned in Legal Intern I for a minimum of forty-five (45) hours during the semester; periodic meetings to co-ordinate the interns' activities and to discuss any problems; a weekly report will be submitted by the student; no classroom instruction. This course is limited to students who have had Legal Intern I, and the credit received will count toward the maximum of six (6) hours allowed in the clinical program.

LAW 812. LEGAL INTERN III/ADVANCED TRIAL TECHNIQUES.

(1) Continuation of LAW 810 and 811; students will continue in the office assigned in Legal Intern I and Legal Intern II for a minimum of forty-five (45) hours during the semester; periodic meetings to co-ordinate the interns' activities and to discuss any problems; a weekly report will be submitted by the student; no classroom instruction. This course is limited to students who have had Legal Intern I and II and Trial Advocacy, and the credit received will count toward the maximum of six (6) hours allowed in the clinical program.

LAW 813. SUMMER INTERNSHIP. (2) Students work full time in Alabama or any other state as a legal intern during the summer between their junior and senior years in one of the following offices: (1) State Attorney General; (2) District Attorney; (3) Public Defender; (4) any other office or position approved by the state's appropriate practice rule and by the Clinical Education Committee; students will be required to submit weekly reports; no classroom work will be required; students must meet the requirements of the state's practice rule; prior approval of the Clinical Education Department must be obtained. The credit received will count toward the maximum of six (6) hours allowed in the clinical program.

LAW 814. PRACTICAL FEDERAL PROBLEMS. (2) Limited to a small number of students who will work in the office of the United States Attorney for approximately eight (8) hours per week during the regular semester or twelve (12) hours per week during the summer semester; students will be exposed to the practical side of drafting legal instruments, preparation of pleadings, preparation of trial briefs, pre-

paring for trial, perfecting appeals, preparation of appellate briefs, and preparation of petitions for writ of certiorari; available to both juniors and seniors; students will not be certified under the Alabama Student Practice Act. The credit received will count toward the maximum of six (6) hours allowed in the clinical program.

LAW 817. ADVANCED PROBLEMS IN ADVOCACY. (1) Continuation of LAW 816; students will concentrate on a single given set of facts (civil or criminal) and on the various trial techniques involved in that case. This course is limited to students who have taken Legal Intern I and Trial Advocacy; in addition, the student must be currently participating in the fall or spring interscholastic mock trial competition. The credit received will count toward the maximum of six (6) hours allowed in the clinical program.

LAW 891. TRIAL ADVOCACY BOARD I. (1) This course is limited to students currently participating as a member of the Trial Advocacy Board; before being eligible to receive credit, students must have been a member of the Trial Advocacy Board for one semester; the course is open to both juniors and seniors; prior approval by the Clinical Department is required.

LAW 892. TRIAL ADVOCACY BOARD II. (1) Continuation of LAW 891.

LAW 893. TRIAL ADVOCACY BOARD III. (1) Continuation of LAW 892.

LAW 894. TRIAL JOURNAL I. (1) This course is limited to students who have completed one semester of *Journal* work.

LAW 895. TRIAL JOURNAL II. (1) Continuation of LAW 894.

LAW 896. TRIAL JOURNAL III. (1) Continuation of LAW 895.

*THE FOREGOING COURSES ARE SUBJECT TO CHANGE AS THE SCHOOL OF LAW MAY DEEM EXPEDIENT. EVERY EFFORT IS MADE BY THE ADMINISTRATION TO OFFER EACH ELECTIVE COURSE AT LEAST ONCE EVERY THREE YEARS. WHETHER AN ELECTIVE COURSE IS OFFERED DEPENDS PRIMARILY UPON THE REQUISITE STUDENT DEMAND AND FACULTY AVAILABILITY.



1980-81 Student Bar Association Officers

Chapter VI

Trial Advocacy and Clinical Education

CENTER FOR ADVOCACY AND CLINICAL EDUCATION

The center for Advocacy and Clinical Education at Cumberland was instituted to train law students in the practical skills of litigation and office practice. In order to assist students in obtaining these skills, the Center offers nineteen courses, engages in mock trial competition under the direction of the student-run Trial Advocacy Board, publishes *The American Journal of Trial Advocacy*, and allows students to aid licensed attorneys under the Alabama Third Year Practice Rule.

The Center has the finest educational facilities available for students to develop their abilities as practicing lawyers. There are two courtrooms, each equipped with three remote-controlled video cameras, a jury deliberation room with video camera to enable student attorneys to observe the jury's actual deliberations, and video monitors so that students can critique and observe trials in progress without interruption or watch their own performance after the completion of a trial. The Center is fully equipped to take advantage of videotaped lectures and instruction by attorneys who are engaged in trial practice.

Under the direction of the faculty Committee on Advocacy and Clinical Education, the clinical curriculum is divided into two areas—trial advocacy and general practical skills—and students may take up to six (6) hours of these courses prior to graduation. Cumberland believes that the art of advocacy and litigation techniques are a specialty within the law and makes every effort to provide the student attorney with an opportunity to develop his ability as a trial lawyer. Members of the faculty and outstanding practicing litigators teach the extensive classes offered in this area. Cumberland also recognizes that not all students desire to do trial work and has numerous courses to expose students to the day-to-day problems of office practice. Under the Alabama Third Year Practice Rule, student attorneys are permitted to participate in

actual trials and legal practice. The following list of courses indicates the breadth of the Center's curriculum:

COURSES	CREDIT	GRADING
800 Basic Skills in Advocacy	1	graded
801 Judicial Clerkship	1	pass/fail
802 Corporate Clerkship	1	pass/fail
803 Counseling and Negotiating	1	graded
808 Law Practice Seminar	2	graded
809 Summer Supreme Court Clerkship	2	graded
810 Legal Intern I/Advanced Trial Techniques	2	graded
811 Legal Intern II/Advanced Trial Techniques	1	pass/fail
812 Legal Intern III/Advanced Trial Techniques	1	pass/fail
813 Summer Internship	2	pass/fail
814 Practical Federal Problems	2	graded
816 Trial Advocacy	1	graded
817 Advanced Problems in Advocacy	1	graded
891 Trial Advocacy Board I	1	graded
892 Trial Advocacy Board II	1	graded
893 Trial Advocacy Board III	1	graded
*894 Trial Journal I	1	graded
*895 Trial Journal II	1	graded
*896 Trial Journal III	1	graded

*LAW 894, 895, and 896 will be counted toward the five (5) hours allowed in research courses.

The general rule is that a student may take only six (6) hours of clinical courses for credit toward graduation. Law 808, 809, and 816 are exceptions to this rule, and credit earned in these courses, even though the six (6) hour limit has been reached, will be counted toward graduation.

In addition to formal courses, the Center offers the students an opportunity to engage in various extra-curricular activities. For students who desire to develop their writing and research skills, the Center publishes *The American Journal of Trial Advocacy*. The *Journal* was the first student-run publication with the primary goal of enhancing the concept of trial advocacy as a true specialty in the study of law. The Trial Advocacy Board, also run by students, organizes at least five mock trial competitions per year. These competitions consist of approximately 100 mock trials during the year. Students act as witnesses, attorneys and

even judges in competitions that are available each semester starting in the second year.

PROGRAMS IN ADVOCACY AND CLINICAL EDUCATION

Trial Advocacy Board

The Trial Advocacy Board is a student organization that administers the mock trial competitions and various clinical programs. The Chief Judge and Directors of the Board act as instructors and judges during mock trials, assist in the use of audio-visual equipment, oversee the internship programs, and organize special programs for fall and spring Law Weeks. Members of the Board also work with licensed litigators in connection with the courses offered by the Center for Advocacy and Clinical Education.

National Mock Trial Competition

The teams selected as winners of this competition represent Cumberland in the regional and national finals of the National Mock Trial Competition. Students who compete for the national team are judged by members of the faculty and trial lawyers after they have tried both sides of a selected law suit.

Jefferson County Circuit Judges' Mock Trial Competition

Limited to third-year students, this competition is judged by members of the local trial bar and is intended to give students further opportunity to exercise their skills in litigation. The finals are held during Law Week in the spring of each year, and the names of the members of the winning team and the Best Advocate are inscribed on a plaque that hangs in the courtroom of the Chief Judge of Jefferson County.

Donald E. Corley Mock Trial Competition

This competition is the culmination of LAW 800, Basic Skills in Advocacy. This course and competition gives second-year students the opportunity to begin familiarizing themselves with trial work. The winning and runner-up teams are presented with a plaque and the Best Advocate, chosen on the basis of accumulated points, is awarded a gavel.

Non-Credit Junior Competition

This is a non-credit competition for juniors to try lawsuits as an extra-curricular activity each semester. The winning team receives a special book award. Some instruction by practicing attorneys and members of the Trial Advocacy Board is provided. The format consists of a single elimination tournament.

Client Counseling Competition

In conjunction with the Trial Advocacy Board, a client counseling team is chosen to represent Cumberland in the regional and national finals that are sponsored by the Law Student Division of the American Bar Association. Two student teams interview a "client" and are judged on their ability to communicate with a client, elicit facts, advise the client, and recommend the appropriate action.



Cumberland Professor Frank Donaldson conducts class.

Chapter VII

Student Activities

STUDENT BAR ASSOCIATION

The Student Bar Association, commonly referred to as the SBA, is the foundation of student organization at the law school and functions as the first professional association of a law student's legal career. One of the foremost objectives of the organization is the promotion of professional responsibility. The SBA is comprised of officers elected by the student body. These elected officers, known as the Executive Council, serve as the student's representatives with the Dean and faculty. As a student service organization, the Cumberland SBA coordinates and funds many of the student activities throughout the year. Moreover, the SBA is very active in the Law Student Division of the American Bar Association. Recently the Cumberland Student Bar Association was selected as the Most Outstanding Student Bar Association in the entire nation. This prestigious award makes the fourth time that our SBA has been so recognized in the last ten years. The SBA's First Year Orientation Program, Registration, and Law Day Programs have also received national acclaim and are being used as model programs by other law schools. In 1978-79, a Cumberland student was elected President of the Law Student Division of the American Bar Association, the highest ranking office attainable by a law student.

CUMBERLAND LAW REVIEW

The *Cumberland Law Review* is a scholarly legal publication designed to provide the practicing attorney with concise yet comprehensive legal analysis of topics with national and regional interest and to provide the student with the opportunity to develop his or her legal writing skills and research techniques.

A ten member executive board composed of senior law students oversees the publication process, which is carried out in conjunction with associate editors and members at the *Review* offices that are located on the third floor of Robinson Hall. Membership on the *Law Review* is one of the highest academic honors one can achieve while in law school and the experience derived from participation is ideal training for the practice of law.

The *Law Review* conducts a membership program for those freshmen who are in the upper fifteen percent of their class upon completion of the first semester of study and another more restricted program at the completion of the second semester. The candidates program involves the preparation of a casenote and the exercise of fundamental research abilities. Those students showing a superior writing ability are invited to become members of the *Review*.

THE AMERICAN JOURNAL OF TRIAL ADVOCACY

The American Journal of Trial Advocacy is a legal periodical published by Cumberland students under the auspices of the Center for Advocacy and Clinical Education. The *Journal* focuses on an analysis of legal and practical problems related to the trial of lawsuits. Articles are written by prominent attorneys, judges, and professors throughout the country. Students edit these articles and contribute notes and topics on issues affecting trial practice and procedure.

Following the first semester of study, freshmen in the top twenty-five percent of their class will be eligible for the *Journal's* membership program. A second program is conducted after the second semester, including a limited program open to most Cumberland students of the rising junior class. The *Journal* is published three times yearly and provides students with excellent experience in trial-oriented research and writing and an opportunity to work closely with prominent trial attorneys and judges.

CUMBERLAND RESEARCH BOARD

The Research Board was established to help law students achieve excellence in legal writing and research. This is accomplished by student participation in three areas. First, under the direction of the Faculty Advisor, Board members serve as instructors in weekly legal research and writing laboratory sessions to help students develop skills in the use of legal research tools. Second, the Research Board provides a research service for members of the practicing Bar, thus giving Board members valuable experience in researching and writing legal memoranda on current legal problems. Third, the Board assists in teaching a course in legal research in the Division of Paralegal Studies of Samford University. Members of the Research Board are selected on the basis of scholarship and interest in legal writing. Credit for graduation may be awarded for work satisfactory to the Board of Directors and Faculty Advisor.

CUMBERLAND LAWYER

The Cumberland Lawyer is published three times a year by the Executive Secretary of the National Alumni Association of the Cumber-

land School of Law. This publication is designed to serve as a public relations magazine. *The Cumberland Lawyer* informs alumni, members of the Alabama Bar and Bench, friends of the School, and students of Law School activities, with particular emphasis placed on areas that illustrate the traditions of the Law School and are of special interest to alumni.

PRO CONFESSO

The *Pro Confesso*, which is the official student newspaper of the law school, was created in 1970 by the Student Bar Association. It is an intra-school forum for news and for the exchange of ideas and views by and between faculty and students. Membership on the *Pro Confesso* staff is open to all students; articles may be submitted at any time. The publication is free to all Cumberland students. The staff consists of an Editor and an editorial board with the Dean of the Law School as Advisor.

NATIONAL MOOT COURT COMPETITION

The Young Lawyers Committee of the Association of the Bar of the City of New York annually sponsors a National Appellate Moot Court Competition. Each year students representing the Cumberland School of Law compete in this event. The regional competition is conducted each year at a school in the southeastern region; the final rounds are held in New York City. In 1979, the regional competition was held at Cumberland. Awards are presented for best argument and best brief submitted in the competition. Cumberland students who participate have their names inscribed on a plaque that is displayed in the Law School building.

CORDELL HULL SPEAKERS FORUM

Each year, the Student Bar Association sponsors a program of guest speakers in order to expand the law student's educational opportunities and legal awareness. The Speakers Forum attracts nationally known figures who are noted for their work in such fields as business, the media, politics, and law.

These programs are of great interest to the legal community, and especially to the student, for they provide a means by which the aspiring lawyer may expand his or her knowledge beyond the more limited borders of classroom studies. Student participation in the selection of speakers is encouraged and necessary if the program is to maintain its present level of relevancy. Since the Forum's inception, it has been cited for an award every year by the American Bar Association. The Speakers Forum won the national award for *Most Outstanding Student Bar Association Project for 1973-74*.

THE HENRY UPSON SIMS MOOT COURT BOARD

The Moot Court Board was organized in 1970. In recognition of a generous gift by which the Board is funded, in 1980 the Board was named the Henry Upson Sims Moot Court Board to honor the memory of a noted legal scholar and distinguished former president of the Birmingham, Alabama, and American Bar Associations. The objective of the Board is to further appellate advocacy through appellate brief writing, oral advocacy and interscholastic team competition. The Board is directed by a student-elected Chief Justice and three student Justices, and is supervised by a faculty committee. The Board conducts two elective courses: Appellate Advocacy I, which instructs students in appellate brief writing, and Appellate Advocacy II, which conducts oral advocacy training. The Board also actively participates in National and International Moot Court Competitions, and has consistently won high national and regional honors in these events. Membership on the Board is a high honor accorded to those students who excell academically and who demonstrate exceptional appellate advocacy abilities. Members of the Board may receive three academic credits toward graduation for work on the Board.

THE ORDER OF THE BARRISTER

The Order of the Barrister is a national honorary society formed for the purpose of recognizing distinguished achievements in the field of scholastic appellate advocacy. The Order provides national recognition for students who have excelled in moot court ability and service. In addition, the Order seeks to improve moot court programs through interscholastic sharing of ideas, information and resources. As a member of the Order, Cumberland may each year nominate nine outstanding students to receive the coveted Order of the Barrister Award.

INTERNATIONAL LAW SOCIETY

The Cordell Hull Chapter of the International Law Society, under the leadership of Commander James L. Hughes, seeks to promote a better understanding of international legal problems. The society helped sponsor a three-member team to represent Cumberland in the International Law Society Moot Court competition for the Jessup Cup. The team won the regional event and finished within the top ten for the world title at the annual convention. Last year more than one hundred law schools from Canada, Argentina, Peru, Ethiopia, Liberia, Nigeria, Zambia, India, Singapore, the Netherlands, the United Kingdom and the United States competed for the title. The society also sponsors the Most Outstanding Law Professor at Cumberland award and set up a

five-hundred dollar grant divided between the freshman and upper class professors chosen by the students as the most deserving. For the past two years, members of the society have traveled to San Francisco and Washington, D.C. to represent Cumberland and have given the school a voice in running the National Society. Cumberland's efforts were rewarded by having one of its members elected Treasurer of the Association of Student International Law Societies in Washington, D.C. Membership is open to all, with special assistance available to those wanting to publish in the international law field.

CUMBERLAND REPUBLICANS

The Cumberland Republicans enables interested law students to actively participate in the Republican party. In addition, in 1979-80, members hosted receptions for several noted Republicans, including John Connally, Philip Crane, Strom Thurmond, and Ronald Reagan.

CUMBERLAND YOUNG DEMOCRATS

The Cumberland Young Democrats Club provides an opportunity for law students to participate in the Democratic party and become personally acquainted with many of its elected officials. The Cumberland chapter is an active member of the state and national Young Democrats. Since it was established at Cumberland in 1974, the club has sponsored various programs, speakers and events and has annually participated in the orientation and Law Day activities.

ENVIRONMENTAL LAW SOCIETY

The Cumberland Environmental Law Society seeks to encourage a continuing awareness of environmental conditions and to promote a better understanding of the importance of environmental protection. Recognizing the increasing trend toward specialization in natural resources law and the need for qualified young lawyers in this area, the society attempts to provide students with a comprehensive exposure to various aspects of environmental law, and to acquaint them with the problems and challenges to be encountered in this area. In addition, the society functions as a forum for the exchange of ideas representing varied opinions on environmental issues. To accomplish its objectives, the society combines academic instructions with speakers, projects, excursions, and camping trips. The Society is continuously involved in legal research on current environmental issues, including energy, conservation, and pollution. Members are affiliated with the Alabama Conservacy, the Sierra Club, and the Natural Resources Section of the American Bar Association.

CURIA HONORIS

One of the greatest honors a law student may seek is membership in *Curia Honoris*, an honorary society composed of Cumberland graduates who, while students, combined academic excellence with service to the Law School.

The Constitution of the society sets forth the following requirements for membership:

- (1) Graduating within the upper 10% of one's graduating class.
- (2) A cumulative grade point average of 2.00 (B) or above.
- (3) Significant contribution to the Law School through participation in extracurricular affairs.
- (4) Selection by vote of the Law School faculty.

New members of the society are inducted during Law Day ceremonies each year.

THE ASSOCIATION OF TRIAL LAWYERS OF AMERICA CUMBERLAND CHAPTER

The student chapter of the ATLA at Cumberland was one of the first student chapters to be established in the nation. Its main purpose is to provide for the students a comprehensive program which covers all areas of trial techniques related to the trial of a lawsuit. The chapter conducts monthly mini-seminars with nationally prominent trial attorneys speaking on different areas of litigation. Also, each year two practicing attorneys demonstrate a full mock trial with explanatory comments.

The student chapter is aligned with both the national and state associations so that the students receive all the benefits of those organizations. The chapter also sponsors a day-long seminar during Law Day.

In addition to the solid foundation upon which the chapter is based, extra support is obtained from the Clinical Education program and through the guidance of a faculty advisor who has experience in trial techniques.

LAW AND WOMEN

The Law and Women organization provides monthly seminars on topics of the law pertinent to women; this means women as attorneys as well as clients. Speakers meet informally with students at luncheon or during the evening to provide information and answer questions. In addition, the organization seeks speakers of national repute to deal with the general topic of women in the law in the Cordell Hull Speakers Forum. Membership is open to any Cumberland law student.

SOCIAL ORGANIZATIONS

Delta Theta Phi Fraternity

The Delta Theta Phi Law Fraternity, founded in the year 1800, is one of the three leading professional law fraternities in the world. Its members are intensely and justifiably proud of their fraternal contacts and associations. Membership numbers close to 60,000 and includes many distinguished attorneys in high places in business, in government, in international affairs, on the Bench and of the Bar. There are eighty-three student senates and sixty-five alumni senates in the United States.

The Grafton Green Senate was founded in the 1950's at Cumberland's Lebanon, Tennessee campus. The Senate is named after Tennessee's most famous Supreme Court justice. For its outstanding work in Cumberland activities and other related areas of law work, the National Fraternity designated Grafton Green Senate the Most Outstanding Chapter in the Nation in 1973.

Phi Alpha Delta Fraternity

The first chapter of Phi Alpha Delta was founded in 1902 in Chicago. Since then, Phi Alpha Delta has grown to become the world's largest legal fraternity with approximately 137 active chapters at law schools all over the globe.

The purpose of Phi Alpha Delta is to form a strong bond uniting students and teachers of the law with members of the Bench and Bar in a fraternal fellowship designed to advance ideals of liberty and equal justice under the law. The fraternity also seeks to inspire the virtues of compassion and courage, to foster integrity as professional competence, to promote the welfare of its members and to encourage their moral, intellectual, and cultural advancement so that each member may enjoy a life-time of honorable professional and public service. The organization is further devoted to the achievement of equality of all persons regardless of race, color, or sex.

In keeping with Phi Alpha Delta's tradition of excellence, in 1969 the Cordell Hull Chapter of Phi Alpha Delta of Cumberland was selected as the Number 1 chapter in the United States. More recently the Cordell Hull Chapter was selected as the Most Outstanding Chapter in District XIII.

Phi Delta Phi Fraternity

Memory Leake Robinson Inn of Phi Delta Phi Legal Fraternity was established at Cumberland Law School in 1965. Phi Delta Phi was established in 1869 at the University of Michigan in order to promote a higher standard of scholarship, professional ethics, and culture among

the law schools and in the profession at large. It was the first professional fraternity of any kind. Robinson Inn has strived to maintain this noble tradition by accepting into membership only those students who strive to maintain this high level of identification with excellence set out by the founders. At the culmination of each academic year, Robinson Inn confers upon those individuals who have best exemplified these high standards two awards for excellence; these are the best Senior Law Student and the Graduate of the Year.

Social and athletic activities have not been ignored however. Phi Delta Phi also strives to bring men and women together in relationships of lifelong friendship that equal or exceed those that were established in the under graduate social fraternity.

Alabama Student Bar Association

The Alabama Student Bar Association was organized both to aid students in scholarship and to promote a sense of legal comradeship among its members. The Alabama Student Bar is open to all students who have attended undergraduate school in Alabama or plan to practice in the state.

The activities range from freshmen counseling and hosting the Law Day Alumni Breakfast to participating in inter-bar association athletic competition. The Alabama Student Bar offers an opportunity for new students to obtain help from fellow classmates.

Florida Student Bar Association

The Justice Glenn Terrell Chapter of The Florida Bar—Law Student Section was established at Cumberland in 1974 to provide students who are planning to practice law in Florida a means of communication and information among themselves. The organization was named for Justice Glenn Terrell, a Cumberland alumnus and member of the Florida Supreme Court for forty-one years. Projects have included a real property workshop, a book fund for the purchase of Florida materials for the library, and the creation of the Justice Glenn Terrell Scholarship. The Florida Student Bar also seeks to keep its members advised of procedures for registering with the Florida Board of Bar Examiners as well as current developments in Florida law.

Georgia Student Bar Association

In 1977, Georgia students at Cumberland established a student bar association for the purpose of bringing together those students who planned on practicing in Georgia. The organization was designed to bring Georgia students closer together through participation in social

activities and special events and to provide information concerning jobs, placement, and certification.

In the spring of 1978 the Cumberland Section of the Georgia Student Bar was named for Judge H. E. Nichols, the Chief Justice of the Georgia Supreme Court and a distinguished Cumberland Alumnus.

Projects for the section include social events throughout the year, orientation for incoming freshmen, and Law Day activities.

North Carolina Student Bar Association

The North Carolina Student Bar Association was organized at Cumberland in 1976 as a means of fellowship among students and their families with ties to North Carolina. Membership is open to those who are from North Carolina, those who attended college there, or any others who desire to practice in North Carolina.

Among the goals of the organization are increased liaison with alumni in North Carolina, recruiting of additional North Carolinians to attend Cumberland, and communication with the North Carolina State Bar Association.

The North Carolina Student Bar has planned projects including an orientation program for entering students from North Carolina, a newsletter to alumni and friends, scholarships and books for the Law Library, and speakers during the year, particularly during Law Day.

Tennessee Student Bar Association

The Tennessee Student Bar Association is an organization of students from the Volunteer State as well as those interested in practicing law in Tennessee. It was organized at Cumberland in 1977 to increase the liaison with alumni in Tennessee and assist students during their Law School career.

The organization also communicates regularly with the Tennessee State Bar Association and hosts guests and speakers during the year.

Virginia Student Bar Association

The Old Dominion Society is an organization of students from Virginia and others interested in practicing law in the Commonwealth. The purpose of the organization is to bring together these students on a personal and professional basis and to seek ways to assist one another during our law school experience. The close association of Virginia students enhances the development of personal relationships, which should prove beneficial in the future upon establishing practice in the Old Dominion.

Law Wives

The Law Wives Club is an energetic social and service organization composed of wives of the faculty and students of the school of law. The purpose of the club is to promote friendship among its members and to serve the school and community by working closely with the Student Bar Association. With the organization of various interest groups, the club attempts to provide a relaxed atmosphere of congeniality for its members during their years at Cumberland School of Law.

Christian Legal Society

The Christian Legal Society is composed of law students, law faculty and practicing attorneys. While this organization was founded for Christian fellowship among those in the legal field, its primary goal is to study the effect that one's Christian beliefs should have upon his or her practice of law. The Society sponsors bi-monthly luncheons with programs provided by eminent judges and practitioners.

Chapter VIII

Scholarships, Awards, and Loan Funds

Alabama Defense Lawyers Association Scholarship. An annual Scholarship in the amount of \$1,000 is awarded to a third year student, preferably an Alabama resident, who has evidenced an interest and ability in trial and appellate practice. The first student to hold this scholarship was Mr. Alva Caine, who was also Vice President of The Student Division of The American Bar Association.

Birmingham Bar Association Memorial Fund Scholarship. An Annual Scholarship of \$500 is awarded to a deserving law student, a resident of Jefferson County, Alabama, by the Birmingham Bar Scholarship Committee. Applications should be filed with the Birmingham Bar Association Memorial Fund Scholarship Committee, 900 Jefferson County Courthouse, Birmingham, Alabama 35203.

The Harwell G. Davis Scholarship Fund. A substantial scholarship fund has been established in honor of Harwell G. Davis who is Chancellor of Samford University, a member of the Alabama Bar, and a former attorney general of the State of Alabama. Criteria for awarding this scholarship shall include intellectual ability and/or financial need.

A. G. Gaston Scholarship or Loan Fund. Substantial scholarship or loan funds are provided by Dr. A. G. Gaston, prominent Birmingham business man, for awards or loans to unusually deserving students.

H. W. Sevits Memorial Scholarship. Made available by the donor Mr. Stephen W. Sevits in memory of his lawyer father, Mr. H. W. Sevits.

General Scholarship Fund. The Law School has developed a sizeable scholarship fund for law students. The fund is administered by the Dean and the Faculty Scholarship Committee. Factors considered for grants are scholastic record, extracurricular activities and need. Application for scholarship aid should be made with the Dean of the Law School.

Thomas Wesley Martin Scholarship. Annual scholarships are provided for law students by the Martin Foundation in memory of Thomas Wesley Martin, a lawyer and founder of Alabama Power Company.

Alabama Trial Lawyers Association Scholarship. An annual scholarship in the amount of \$500 is awarded to a deserving second year law student who is an Alabama resident and shows promise as a trial lawyer.

W. D. Rollison Memorial Scholarship. A scholarship award has been established in memory of Professor W. D. Rollison who, for many years, was a distinguished professor of law at Cumberland. The award is made to a first semester senior with a high academic average and with a demonstrated financial need. Applicants for the scholarship should apply to the Dean of the Law School.

Dean's Scholarships. Several full tuition scholarships are awarded annually to freshmen law students. To qualify an applicant should be a resident of Alabama and have maintained at least a B average undergraduate record. Applicants interested in applying for this scholarship should contact the Dean of the Law School for an interview.

John Cabler Corbitt Memorial Scholarship. John Cabler Corbitt, a graduate of the Law School, established a trust fund to provide scholarships for five students who agree to practice law in the State of Tennessee for a period of not less than five years after completion of their law course and admission to practice in Tennessee, which agreement shall be in writing. Application for these scholarships should be made to the Dean of the Law School.

Alfred F. Ciffo, Sr. Memorial Scholarship. An annual scholarship in the amount of \$100 to a law student from Florida who has evidenced serious financial need. This award is made available through the loving kindness of his widow, Catherine Ciffo.

General Scholarship Fund for Non-residents of Alabama. As a nationally-oriented Law School, Cumberland has developed several scholarships for outstanding applicants who are not residents of Alabama. Applicants should apply to the Dean of the Law School.

Scholarship for Phi Delta Phi Members. The International Legal fraternity of Phi Delta Phi makes an award of \$100 each fall to the Phi Delta Phi member attaining the highest scholastic average during his or her first year. Phi Delta Phi also makes loans available to members of this fraternity in the amount of up to \$500 to be paid without interest no later than two years after graduation from law school.

The Justice Glenn Terrell Loan Fund. This loan fund was established in 1975 by the Family and friends as a memorial to the late Justice Glenn Terrell, a Cumberland alumnus (1905) who served for forty-one years on The Florida Supreme Court. Students registered with the Florida Board of Bar Examiners are eligible to apply for the loans made available by the fund.

Emond and Vines Trial Advocacy Scholarship. Emond and Vines, a Birmingham law firm, awards a scholarship annually to a law student in the top 15% of his or her class who has a desire to be a trial attorney and prepares therefor by specializing in Trial Advocacy courses.

Warren R. Splitt Memorial Scholarship Fund. An annual scholarship awarded to a second or third year law student who resides in the State of Florida, evidences serious financial need, and has maintained an above average academic record in law school. The fund was established in 1976 by alumnus Robert F. Splitt and his wife in memory of their son.

DeWitt C. Thompson, Jr. Memorial Loan Fund. Loan funds are provided for students who have exhibited outstanding leadership characteristics evidenced by active participation in extracurricular activities. Criteria for recipients is completion of the first semester of law school with an above average academic record.

Alumni Student Loan Fund. The Alumni Student Loan Fund was established by the National Alumni Association of Cumberland School of Law to grant emergency aid to law students in need of temporary financial help. The fund is administered by the Dean of the Law School.

Gordon Taylor Saad Scholarship. Scholarship funds are available annually to supplement second and third year law students who evidence serious financial need. These funds have been made available by Mr. and Mrs. John E. Saad in memory of their son.

UNIVERSITY FINANCIAL AID

Law students who are interested in applying for scholarships should submit written applications to the Dean of the School of Law. The applications should be submitted by June 10 in order that the Dean and the Scholarship Awards Committee can evaluate them.

Federally Insured Student Loans are available to students who have been admitted to Cumberland and who have a qualified lender who will make the loan. This may be either a bank, credit union, or savings and loan association. The student pays no interest on the loan until nine months following graduation or withdrawal and then the rate is a simple 7%. Under this program, a student may apply for a loan of up to \$5,000 per year.

Students who are interested in securing a Federally Insured Student Loan should apply directly to the Office of Student Financial Aid, Samford University. Ask specifically for the form needed in order to apply for the Federally Insured Student Loan.

AWARDS

Dean's Certificate of Appreciation. Each Law Day, the Dean awards a limited number of Certificates of Appreciation to members of the prior year's graduating class. Certificates are awarded to those graduates who, while they were students, made outstanding contributions to the school through leadership in all phases of the school's programs.

W. D. Rollison Award for Excellence in Wills and Trusts. Each year two awards are made in an annual writing contest for students at the School of Law. The awards were established in memory of Professor W. D. Rollison, who for many years was a distinguished professor of law at Cumberland. The first place award consists of a certificate of recognition suitable for framing and \$200 in cash. The second place award consists of a certificate of recognition suitable for framing and \$100 in cash. The awards are made at Law Day each year.

American Jurisprudence Award. The joint publishers of *American Jurisprudence*, Bancroft-Whitney Company, San Francisco, California, and The Lawyers Co-operative Publishing Company, Rochester, New York, award a specially bound title of *American Jurisprudence* to the student making the highest grade in each of a number of courses covered by titles of *American Jurisprudence*.

Little, Brown & Company Award. Little, Brown & Company, Boston, Massachusetts, awards a copy of *An Estate Planner's Handbook* each year to the student making the highest combined average grade in the courses on Trusts and Wills and Administration of Estates.

The Nathan Burkan Memorial Competition. The American Society of Composers, Authors and Publishers, in memory of Nathan Burkan, makes an annual award in invited schools to the senior student who prepares the best paper on the subject of Copyright Law. The winning paper within the law school is awarded \$250 by the Society and there is a second place award of \$100. The national winner receives a first-place award in the sum of \$1,000.

The Frank W. Donaldson Civil Procedure Writing Award. Each year, a cash award is given to the student submitting the best paper on any area of Federal or State Civil Procedure. The competition is sponsored by Cumberland Professor Frank Donaldson.

The Alabama Lawyer Award. *The Alabama Lawyer* has established an annual award of \$250 for the best article submitted by a law student for publication in *The Alabama Lawyer*. The subject of the article is announced in September, the substance of which must be of general interest currently to the practicing bar. The award is sponsored by *The Alabama Lawyer*, a publication of the Alabama Bar Association.

American Law Book Company Awards. The American Law Book Company, St. Paul, Minnesota, annually awards volumes for achievement in certain designated courses.

Foundation Press, Inc., Award. The Foundation Press, Inc., Brooklyn, New York, awards a copy of Lattin on *Corporations* to the student receiving the highest grade in the course on Federal Procedure.

The United States LAW WEEK Award. The Bureau of National Affairs, Inc., gives a one-year subscription to LAW WEEK magazine to the senior student having the highest scholastic average.

Corpus Juris Secundum Student Award. West Publishing Company annually awards one selected title of Corpus Juris Secundum to the freshman, junior, and senior, who has made the most significant contribution toward overall legal scholarship.

Hornbook Student Award. West Publishing Company annually awards a selected title from the Hornbook Series to the freshman, junior, and senior, who achieves the highest scholastic average in his class.

The Pioneer National Title Insurance Award. Pioneer National Title Insurance makes an award to the student with the highest grade in the Real Estate Transactions course in the fall semester and in the spring semester. The award consists of a suitable plaque and a check in the amount of \$125.00

Writing Awards. Several companies and professional societies sponsor national essay contests on such varied topics as Environmental Law, Energy Law, Insurance Law, and Patent Law. Cash awards are given for the best paper submitted on a designated topic.



Class of 1930 holds reunion during Law Week festivities.



Law School Faculty

Chapter IX

Administration

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Professor Calvin M. Howard: First Year Students
Professor James L. Hughes, Jr.: Upper Classmen

Law School Calendar 1981-1982

SUMMER SESSION, 1981

June 1—July 29 (inclusive)

June 1—Registration
June 2—Classes begin
July 21—Last day of classes
July 23-29—Final Examinations
August 15—Summer Graduation Exercises

FALL SEMESTER, 1981

August 24—December 18 (inclusive)

August 24—Entering Law Student Orientation
August 25—Registration
August 26—Classes begin
December 2—Last day of classes
December 9-18—Final Examinations

SPRING SEMESTER, 1982

January 11—May 14 (inclusive)

January 11—Registration
January 12—Classes begin
March 26-27—Law Day
April 3-11—Spring Recess
April 30—Last day of classes
May 5-14—Final Examinations
May 23—Commencement

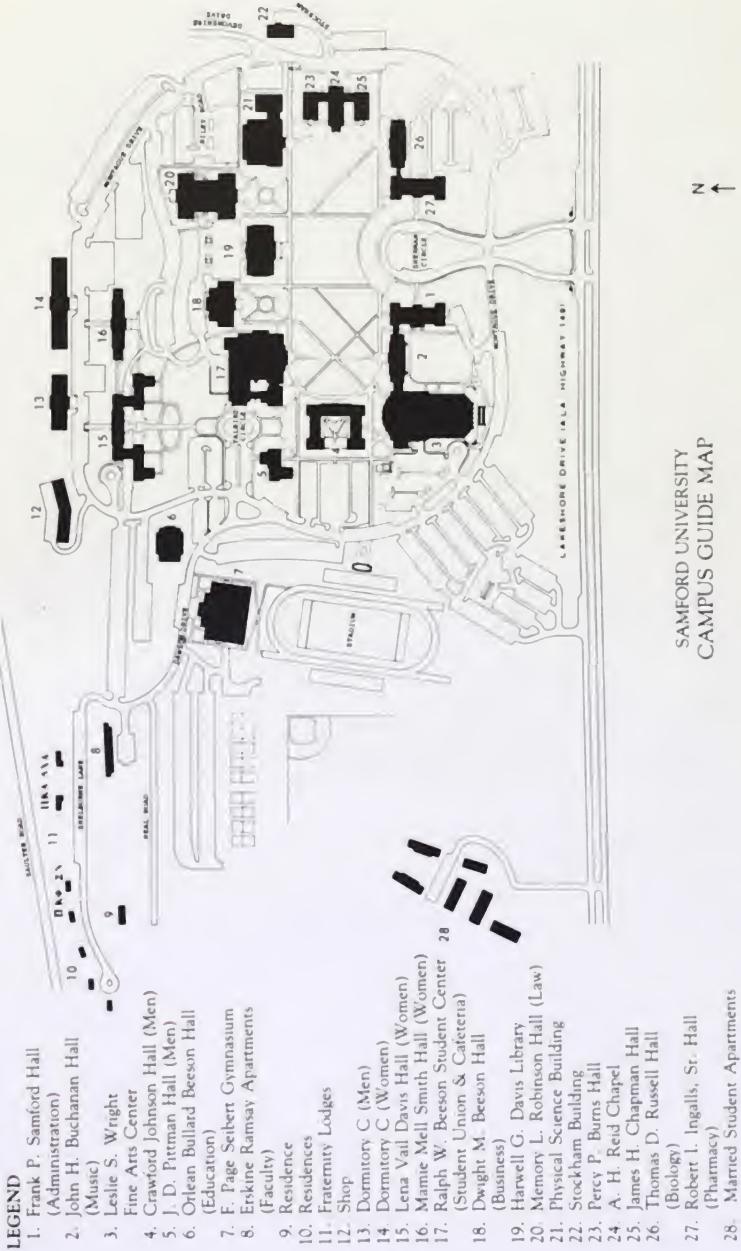
SUMMER SESSION, 1982

May 31—July 28 (inclusive)

May 31—Registration
June 1—Classes begin
July 20—Last day of classes
July 22-28—Final Examinations
August 14—Summer Graduation Exercises



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